

REMARKS

In reply to the Office Action mailed July 3, 2001, Applicants request consideration of the following remarks. Claims 1-30 are pending.

The Examiner objected to the drawings. Applicants have filed formal drawings to obviate this objection, so the objection should be withdrawn.

The Examiner also objected to the specification. Applicants have amended the specification to obviate this objection, so the objection should be withdrawn.

The Examiner rejected claims 1-30 under 35 U.S.C. §102(e) as being anticipated by US 2002/0144838 ("Fritzemeier"). Fritzemeier is a divisional of U.S. patent application No. 09/617,518 and claims priority under 35 U.S.C. §119(e) to U.S. provisional application 60/145,468.¹ The Examiner relies on the earlier effective U.S. filing date of the provisional application (i.e., July 23, 1999) for Fritzemeier's 102(e) date. However, U.S. provisional application 60/145,468 does not include the disclosure on which the Examiner relies, and cannot be afforded the earlier filing date for the subject matter disclosed in Fritzemeier and relied upon by the Examiner because U.S. provisional application 60/145,468 does not disclose this subject matter (see, e.g., MPEP 706.02(f)(1) Example 2). The priority date for the relied-upon disclosure is the filing date of U.S. patent application No. 09/617,518, namely July 14, 2000. Because this is after the priority date for the present application, Fritzemeier is not prior art under 35 U.S.C. §102(e). Accordingly, Applicants request reconsideration and withdrawal of the rejection of claims 1-30.

Please apply any charges or credits to deposit account 06-1050.

¹ A copy of U.S. provisional application 60/145,468 is enclosed herewith.

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Respectfully submitted,

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